



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,690	06/30/2003	Christopher Budd	13768.385	8387
47973 7590 10/13/2009 WORKMAN NYDEGGER/MICROSOFT 1000 EAGLE GATE TOWER 60 EAST SOUTH TEMPLE SALT LAKE CITY, UT 84111				
EXAMINER				
FISHER, PAUL R				
ART UNIT		PAPER NUMBER		
3689				
MAIL DATE		DELIVERY MODE		
10/13/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/611,690

**Applicant(s)**

BUDD ET AL.

**Examiner**

PAUL R. FISHER

**Art Unit**

3689

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 July 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,4,5,13-18,20-28,30,31,35-49,51,52,55-61 and 64-72 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5,13-18,20-28,30,31,35-49,51,52,55-61 and 64-72 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Request for Continued Examination received on July 20, 2009 has been acknowledged. Claims 3, 6-12, 19, 29, 32-34, 50 and 62-63 have been canceled. Claims 1-2, 4-5, 13-18, 20-28, 30-31, 35-49, 51-52, 55-61 and 64-72, are currently pending and have been considered below.

***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 20, 2009 has been entered.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 14, 40 and 56 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 14, 40 and 56, it is unclear to the Examiner how some, but not all of any team can be notified since the independent claim states that teams can comprise one person? How is it possible to notify some of one person but not all of one person? Further while the claim determines that the second team comprises a plurality of

members, it does not state that the rest of the steps are based off this determination and what if the determination finds there to be only one member as suggested is possible by the independent claim. It is unclear as to what happens when it is determined that the second team comprises a plurality of members, is the notification based off this determination and what happens when and if it is not made?

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-2, 4-5, 13-18, 20-28, 30-31, 35-49, 51-52, 55-61 and 64-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bugzilla: <http://web.archive.org/web/20020202141951/bugzilla.org/about.html> (Feb. 2, 2002) hereafter Bugzilla.**

**As per claims 1, 22, 26, 48, 60 and 61**, Bugzilla discloses a server computing system network connectable to a plurality of client computing systems, a method and program for the server computing system coordinating communication between the plurality of client computing systems in a manner that assists in inter-team cooperation for accomplishing a collaborative goal (Page 1, paragraph 1; discloses that Bugzilla is an example of a class of computer programs called "Defect Tracking Systems", or more commonly "Bug-Tracking Systems". Defect Tracking Systems allow individual or groups

of developers to keep track of outstanding bugs in their product effectively, thus this system works over a network to assist groups or teams of developers in accomplishing their goal of fixing software bugs in their products).

an act of the server computing system analyzing the collaborative goal to identify a course of steps wherein, as each step is successfully completed, the collaborative goal is advanced from the goal's current state toward the goal's completed state, or advances development of corrective software for a software performance deviation in a product or a system bug, the course of steps requiring cooperation between at least two teams of one or more users of the plurality of clients computing systems (While Bugzilla doesn't explicitly disclose the system server analyzing the collaborative goal it would have been obvious to one having ordinary skill in the art of computer software corrections that the server would have to analyze the information it was given to know who be responsible to carry out the corrections. Pages 33-41; disclose the Administrations job from a top down approach the Product or computer program is broken down into components which are could all have possible bugs, these bugs would have to be identified, then each step could correspond to fixing a particular bug in a particular component of the over all computer product, so in this example say there were software problems in your "UI", "API", "Sound System" components then the steps would be to correct bugs in the various components and each group or team would be assigned a particular component as disclosed on Page 34, paragraphs 1 and 2 specifically. It could also be that there were multiple bugs in a single component and there are multiple teams that work in that individual component. Pages 15-16; discloses

that through the Query page the server system can analyze what steps are assigned to correcting a current bug and who is assigned to those steps it can also tell the current status of each step and substep to determine what stage the over all project is at), wherein the analysis includes:

determining that a software problem affects a plurality of software products and also affects multiple versions of at least one of the plurality of software products (Page 16-17; discloses that each product or program being handled by the system has an associated version or number of that program, page 17 specifically discloses that a particular version of that program can be associated with a "Target Milestone" which the Examiner asserts is equivalent to a time budget since it sets up dates and times in which the product is to be finished. Page 18, writing a great bug report; disclose that the system can detect a software performance deviation or software bug, it would have been obvious that the software deviation could be found in not only the first product but a set of products as stated in Bugzilla it is known for a product or product line to have different versions or milestones it is possible to have a bug that is present in all of the various products. Page 35; discloses that the method can be used for various versions of the software to help isolate bug problems in one version that is not present in another, by doing this the code that caused the bug can be isolated.); and

identifying a different course of steps for each product and for each version of the products with multiple versions, wherein generating the course of steps includes accessing one or more associated time budgets corresponding to the software products and product versions (Pages 33-41; disclose the Administrations job from a top down

approach the Product or computer program is broken down into components which are could all have possible bugs, these bugs would have to be identified, then each step could correspond to fixing a particular bug in a particular component of the over all computer product, so in this example say there were software problems in your "UI", "API", "Sound System" components then the steps would be to correct bugs in the various components and each group or team would be assigned a particular component as disclosed on Page 34, paragraphs 1 and 2 specifically. It could also be that there were multiple bugs in a single component and there are multiple teams that work in that individual component. Pages 15-16; discloses that through the Query page the server system can analyze what steps are assigned to correcting a current bug and who is assigned to those steps it can also tell the current status of each step and substep to determine what stage the over all project is at. Page 16-17; discloses that each product or program being handled by the system has an associated version or number of that program, page 17 specifically discloses that a particular version of that program can be associated with a "Target Milestone" which the Examiner asserts is equivalent to a time budget since it sets up dates and times in which the product is to be finished. Page 35; discloses that each bug of a program development can be used in conjunction with an associated "Target Milestone" where one can set up a milestone by which it will be fixed, from this it would have been obvious that since the time budget is described by the applicants specification figure 9 as a user tracking a time budget which is shown to be just the time in which a product has taken, since Bugzilla shows milestones it is

considered to be an equivalent means for tracking the progress of a step or completion of a goal);

**(Claim 60)** a step for facilitating communication between the plurality of client computing systems in a manner that facilitates completion of the course of steps (Pages 15-16; discloses that the system can notify the user what steps they are responsible for and what the status of each of the other steps are currently at to facilitate communication between the users of the system which helps achieve the completion of the course of steps).

an act of the server computing system determining that a first team of one or more users is responsible for proper implementation of the step, the course of steps including at least a first step for which the first team is determined to be responsible, and a second, subsequent step for which a second, different team is determined to be responsible, the second team including at least one member that is not a member of the first team (Page 34, paragraphs 1 and 2; disclose that each component or piece of the over all product can be divided into groups and the software fixes for bugs in those components could also be designed in the same groups, if the step were to correspond to fixing a particular bug in a particular component then it would be assigned to the group or team which is assigned to that component. Page 38; discloses that the administrator could also assign responsibility to each team for a product individually for example if it was a security risk you could assign various parts of the project to different people which would all have to work on their individual parts in order to fix the security bug).



for the first step in the course of steps, an act of the server computing system presenting to at least a representative user of the first team a first dynamically generated, customized user interface without the user requesting information about the first step, the first user interface providing customized information and interfaces that facilitate completion of the first step, the customized information and interfaces including a plurality of static and dynamic fields populated with information corresponding to the current state of the collaborative goal, wherein the dynamic fields are continually updated as other steps of the goal are completed, the customized user interface further indicating how the course of steps is progressing relative to the associated time budget (Pages 15-16; discloses that as part of the system an interface is presented to each user based on their user name and password so it is dynamically created for each individual user and each of the fields are updated as progress is made on each step. Page 21, paragraph 3; discloses the user can set up their account so that every time the status on a particular bug is fixed they would be notified via email about the change, further it states that from a quality assurance stand point the could wait till a particular team finishes their work and notify via email the quality assurance people to inspect their work, from this example it is shown that the first team completes their assigned tasks and then and only then the second team can complete their task of inspecting if that was the assigned step. Page 31; discloses that the user can set up their email notification preferences to report to them every change in a particular bug, from this it is shown that the user is given customized interface and information not on request for the specific information but rather automatically from the server when the status has

changed in this case when a bug is fixed or reported the user will be notified. Pages 36 and 37; disclose the Milestones and how they are set up the user is able to set up target milestones for each project where the users can see what parts of the project need to be completed and in what time frame, as stated on page 37 this is a "powerful tool when reporting the status of projects" from this it would have been obvious that the user is automatically notified when a milestone is complete since it is a change in status);

an act of the server computing system automatically notifying at least a representative user of the second team the first step has been completed (Page 21, paragraph 3; discloses the user can set up their account so that every time the status on a particular bug is fixed they would be notified via email about the change, further it states that from a quality assurance stand point the could wait till a particular team finishes their work and notify via email the quality assurance people to inspect their work, from this example it is shown that the first team completes their assigned tasks and then and only then the second team can complete their task of inspecting if that was the assigned step); and

after the act of the server computing system automatically notifying at least the representative user of the second team, an act of the server computing system presenting to at least a representative user of the second team a second dynamically generated, customized user interface, the second user interface providing customized information and interfaces that facilitate completion of the second, subsequent step, the customized information and interfaces including a plurality of static and dynamic fields populated with information corresponding to an updated current state of the

collaborative goal, wherein the dynamic fields are continually updated as other steps of the goal are completed (Page 21, paragraph 3; discloses the user can set up their account so that every time the status on a particular bug is fixed they would be notified via email about the change, further it states that from a quality assurance stand point they could wait till a particular team finishes their work and notify via email the quality assurance people to inspect their work, from this example it is shown that the first team completes their assigned tasks and then and only then the second team can complete their task of inspecting if that was the assigned step. Pages 15-16; discloses that as part of the system an interface is presented to each user based on their user name and password so it is dynamically created for each individual user and each of the fields are updated as progress is made on each step).

Therefore in view of the teachings of Bugzilla it would have been obvious to one of ordinary skill in the art at the time the invention was made that the system of Bugzilla is implemented on a server and that it is the server that analyzes information regarding software bugs and then distributes the responsibility for the correction of those issues to users or teams assigned to those tasks. Bugzilla further shows that the users have interfaces presented to them and updated by the central server as to the status of the various steps being tracked. This way when one step is finished the other users of the system will be aware and respond accordingly. Consequently, the Examiner asserts that the current claims are not patentably distinct from Bugzilla since as understood by the Examiner the current claim only discloses a server system which stores a list of tasks with a final goal, distributes those tasks to specific groups, tracks the groups

progress of each task and notifies appropriate individuals of the tasks progress, which as discussed above is rendered obvious by Bugzilla.

**As per claims 2, 28, and 51**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses where the subsequent step in the course of steps comprises a plurality of substeps configured for processing in parallel (Page 25, bullet 6; discloses that the system can perform bug corrects either in parallel or in series, for example if two people are working on the same file but different bugs the system performs a lockout meaning that only that person can access the file, this would be the series example, on the other hand the system can create a shadow database where the other user or users can work, although only one user will have write access at a time).

**As per claims 4 and 30**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses wherein the first step in the course of steps comprises a plurality of substeps configured for processing in parallel (Page 25, bullet 6; discloses that the system can perform bug corrects either in parallel or in series, for example if two people are working on the same file but different bugs the system performs a lockout meaning that only that person can access the file, this would be the series example, on the other hand the system can create a shadow database where the other user or users can work, although only one user will have write access at a time).

**As per claims 5, and 31**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses wherein the first team includes at least one member that is not a member of the second team (Page 38; discloses that the administrator could also assign responsibility to each team for a product individually for example if it was a

security risk you could assign various parts of the project to different people which would all have to work on their individual parts in order to fix the security bug. It would have been obvious from this that when setting up the responsibility of each task the administrator could have assigned the different tasks to different users).

**As per claims 13, 39 and 55**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses an act of causing at least the representative of the second team to automatically receive an e-mail notification upon the completion of the first step (Page 21, paragraph 3; discloses the user can set up their account so that every time the status on a particular bug is fixed they would be notified via email about the change, further it states that from a quality assurance stand point the could wait till a particular team finishes their work and notify via email the quality assurance people to inspect their work, from this example it is shown that the first team completes their assigned tasks and then and only then the second team can complete their task of inspecting if that was the assigned step).

**As per claims 14, 40 and 56**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses an act of determining that the second team comprises a plurality of members (Pages 38-41; disclose that groups can be set up which could include a plurality of members); and

an act of causing some, but not all, of the second team members to be automatically notified upon the completion of the first step (Page 21, paragraph 3; discloses the user can set up their account so that every time the status on a particular bug is fixed they would be notified via email about the change, further it states that from

a quality assurance stand point the could wait till a particular team finishes their work and notify via email the quality assurance people to inspect their work, from this example it is shown that the first team completes their assigned tasks and then and only then the second team can complete their task of inspecting if that was the assigned step, if a user is not set up to receive the email they would be excluded from the notification, further it is unclear how as stated in the independent claims you could have a group of one person and some but not all of the users be notified, from this the Examiner is reading it that notifications can be sent based on the setup which is shown by Bugzilla, Further while the claim determines that the second team comprises a plurality of members, it does not state that the rest of the steps are based off this determination and what if the determination finds there to be only one member as suggested is possible by the independent claim).

**As per claims 15, 41, and 57,** Bugzilla discloses the above-enclosed invention, Bugzilla further discloses an act of causing all of the second team to be automatically notified upon the completion of the first step (Page 21, paragraph 3; discloses the user can set up their account so that every time the status on a particular bug is fixed they would be notified via email about the change, further it states that from a quality assurance stand point the could wait till a particular team finishes their work and notify via email the quality assurance people to inspect their work, from this example it is shown that the first team completes their assigned tasks and then and only then the second team can complete their task of inspecting if that was the assigned step, if a user is not set up to receive the email they would be excluded from the notification,

further it is unclear how as stated in the independent claims you could have a group of one person and some but not all of the users be notified, from this the Examiner is reading it that notifications can be sent based on the setup which is shown by Bugzilla).

**As per claims 16, and 42**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses wherein the first user interface may be accessed by all of the first team (Page 14, Create a Bugzilla Account; discloses that each user creates their own portal into the system through the creation of an account, through this they will be able to receive email alerts and other information and the projects they are assigned to. Page 25, bullet 6; discloses that the system can perform bug corrects either in parallel or in series, for example if two people are working on the same file but different bugs the system performs a lockout meaning that only that person can access the file, this would be the series example, on the other hand the system can create a shadow database where the other user or users can work, although only one user will have write access at a time. Pages 38-41; disclose that each user is allowed to view tasked based on which groups they belong to, from this it is shown if all users belonged the first team or first group they would all be allowed to view the corresponding interface).

**As per claims 17, and 43**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses wherein the second user interface may be accessed by all of the second team (Page 14, Create a Bugzilla Account; discloses that each user creates their own portal into the system through the creation of an account, through this they will be able to receive email alerts and other information and the projects they are assigned to. Page 25, bullet 6; discloses that the system can perform bug corrects either in

parallel or in series, for example if two people are working on the same file but different bugs the system performs a lockout meaning that only that person can access the file, this would be the series example, on the other hand the system can create a shadow database where the other user or users can work, although only one user will have write access at a time. Pages 38-41; disclose that each user is allowed to view tasked based on which groups they belong to, from this it is shown if all users belonged the second team or second group they would all be allowed to view the corresponding interface).

**As per claims 18, and 44,** Bugzilla discloses the above-enclosed invention, Bugzilla further discloses wherein the second user interface may be accessed by all of the second team (Page 14, Create a Bugzilla Account; discloses that each user creates their own portal into the system through the creation of an account, through this they will be able to receive email alerts and other information and the projects they are assigned to. Page 25, bullet 6; discloses that the system can perform bug corrects either in parallel or in series, for example if two people are working on the same file but different bugs the system performs a lockout meaning that only that person can access the file, this would be the series example, on the other hand the system can create a shadow database where the other user or users can work, although only one user will have write access at a time. Pages 38-41; disclose that each user is allowed to view tasked based on which groups they belong to, from this it is shown if all users belonged the second team or second group they would all be allowed to view the corresponding interface).

**As per claims 20, 46, and 58,** Bugzilla discloses the above-enclosed invention, Bugzilla further discloses an act notifying at least the representative of the first team of a



network address of at least the representative of the second team, wherein at least the representative of the second team is automatically notified directly by the first team upon the completion of the first step (Page 21, paragraph 3; discloses the user can set up their account so that every time the status on a particular bug is fixed they would be notified via email about the change, further it states that from a quality assurance stand point the could wait till a particular team finishes their work and notify via email the quality assurance people to inspect their work, from this example it is shown that the first team completes their assigned tasks and then and only then the second team can complete their task of inspecting if that was the assigned step, if a user is not set up to receive the email they would be excluded from the notification, from this the Examiner is reading it that notifications can be sent based on the setup which is shown by Bugzilla. The Examiner asserts that an email address is equivalent to a network address since both a used to contact a desired person).

**As per claims 21, 47 and 59,** Bugzilla discloses the above-enclosed invention, Bugzilla further discloses an act of receiving notification from the first team that the first step is completed (Page 21, paragraph 3; discloses the user can set up their account so that every time the status on a particular bug is fixed they would be notified via email about the change, further it states that from a quality assurance stand point the could wait till a particular team finishes their work and notify via email the quality assurance people to inspect their work, from this example it is shown that the first team completes their assigned tasks and then and only then the second team can complete their task of inspecting if that was the assigned step, if a user is not set up to receive the email they

would be excluded from the notification, further it is unclear how as stated in the independent claims you could have a group of one person and some but not all of the users be notified, from this the Examiner is reading it that notifications can be sent based on the setup which is shown by Bugzilla); and

an act of automatically notifying at least the representative of the second team in response to the act of receiving notification (Page 21, paragraph 3; discloses the user can set up their account so that every time the status on a particular bug is fixed they would be notified via email about the change, further it states that from a quality assurance stand point the could wait till a particular team finishes their work and notify via email the quality assurance people to inspect their work, from this example it is shown that the first team completes their assigned tasks and then and only then the second team can complete their task of inspecting if that was the assigned step, if a user is not set up to receive the email they would be excluded from the notification, further it is unclear how as stated in the independent claims you could have a group of one person and some but not all of the users be notified, from this the Examiner is reading it that notifications can be sent based on the setup which is shown by Bugzilla).

**As per claims 23, 24, 25, and 49**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses wherein the physical media is both system memory and persistent memory (Page 24; discloses that this program is to be used on a computer system and needs to be downloaded and installed onto a computer which would be installed on a Hard Drive which is considered to be system memory and a persistent (non-volatile) memory).

**As per claims 27 and 52**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses an act of detecting a software performance deviation in the product (Page 18, writing a great bug report; disclose that the system can detect a software performance deviation or software bug).

**As per claim 35**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses wherein the team that corresponds to the second first step is the same as the first team (Page 38-41; discloses grouping of users based on tasks, from this it is shown that tasks assigned to the first group or team would correspond to that team and would not be viewable by any other team).

**As per claim 36**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses wherein the team that corresponds to the second step is at least partially different than the first team (Page 38-41; discloses grouping of users based on tasks, from this it is shown that tasks assigned to the first group or team would correspond to that team and would not be viewable by any other team, further it is possible to have users who have access to multiple step and users who are restricted to a single task for example a user can be part of the first team and part of the second team and view both tasks, while another user could only have rights to the first task).

**As per claim 37**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses wherein the team that corresponds to the second step is the same as the second team (Page 38-41; discloses grouping of users based on tasks, from this it is shown that tasks assigned to the second group or team would correspond to that team and would not be viewable by any other team).

**As per claim 38**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses wherein the team that corresponds to the second step is at least partially different that the second team (Page 38-41; discloses grouping of users based on tasks, from this it is shown that tasks assigned to the second group or team would correspond to that team and would not be viewable by any other team, further it is possible to have users who have access to multiple step and users who are restricted to a single task for example a user can be part of the first team and part of the second team and view both tasks, while another user could only have rights to the first task).

**As per claim 45**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses wherein the product is a first product and the software performance deviation is in a plurality of products including the first product (Page 18, writing a great bug report; disclose that the system can detect a software performance deviation or software bug, it would have been obvious that the software deviation could be found in not only the first product but a set of products as stated in Bugzilla it is known for a product or product line to have different versions or milestones it is possible to have a bug that is present in all of the various products).

**As per claim 64**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses wherein the process involved with resolving a detected software performance deviation comprises an investigation (Page 18, writing a great bug report; disclose that the system can detect a software performance deviation or software bug, it would have been obvious that an investigation has to be conducted in order to

understand what has to be fixed, the Examiner asserts that a bug report is equivalent to an investigation).

**As per claim 65**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses wherein the investigation includes resolving detected software performance deviations in a plurality of software programs (Page 18, writing a great bug report; disclose that the system can detect a software performance deviation or software bug, it would have been obvious that the software deviation could be found in not only the first product but a set of products as stated in Bugzilla it is known for a product or product line to have different versions or milestones it is possible to have a bug that is present in all of the various products).

**As per claim 66**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses wherein access privileges regulating who has access to one or more investigations in a plurality of investigations are determined by the server computing system (Pages 38-41; discloses that groups can be set up to restrict access to who can work on or view particular investigations or bugs).

**As per claim 67**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses wherein the access privileges allow a user access to view or edit anything for any investigation (Pages 38-41; discloses that groups can be set up to restrict access to who can work on or view particular investigations or bugs).

**As per claim 68**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses wherein the access privileges allow a user access to view or edit anything for software performance deviations related to a particular software program

(Pages 38-41; discloses that groups can be set up to restrict access to who can work on or view particular investigations or bugs).

**As per claim 69**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses wherein the access privileges allow a user access to view or edit anything for a specific software performance deviation (Pages 38-41; discloses that groups can be set up to restrict access to who can work on or view particular investigations or bugs).

**As per claim 70**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses wherein the first user interface is browser-based (Page 14, Create a Bugzilla Account; discloses that each user creates their own portal into the system through the creation of an account, through this they will be able to receive email alerts and other information and the projects they are assigned to. Page 1; discloses that the system has HTML support which means it is browser-based).

**As per claim 71**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses wherein a web page comprising the first user interface is dynamically generated based on software application state information that results from processing at least one step in the course of steps (Page 14, Create a Bugzilla Account; discloses that each user creates their own portal into the system through the creation of an account, through this they will be able to receive email alerts and other information and the projects they are assigned to. Page 1; discloses that the system has HTML support which means it is browser-based).

**As per claim 72**, Bugzilla discloses the above-enclosed invention, Bugzilla further discloses wherein the email notification comprises an embedded hyperlink that links to a user interface that allows completion of a subsequent step (Page 20, line 13; discloses that the system utilizes hyper links, Page 1; discloses that the system has XML and HTML support and also has email functions. From this it would have been obvious that a hyperlink could be used to indicate the completion of a step).

### ***Response to Arguments***

7. Applicant's arguments filed July 20, 2009 have been fully considered but they are not persuasive.
8. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "interface that not only lists the next step in a determined course of steps, but also provides the actual user interface for completing the step") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The claims as currently written read that the "first user interface providing customized information and interfaces that facilitate completion of the first step", this is not the same as providing the actual user interface for completing the step, the interface is not required to complete the step rather it is used to facilitate the completion facilitate is defined by <http://www.merriam-webster.com/dictionary/facilitate> as to make easier: help bring about. The applicant's own specification paragraph [0050] states "Once again, the user interface 800 includes

any structure that presents information and interfaces with the user in a manner that facilitates accomplishment of the step. The precise content of such user interfaces is not important to the principles of the present invention, and will vary according to the structure and preferences of the enterprise implementing the course of steps." From this it is clear that the recited claims do not require that the interface is used for completing the steps but rather that they assist the user in completing the steps which is as simple as providing them with information that could be used to correct a problem. For this reason the Examiner asserts that the reference reads over the claims as currently written and the rejection is therefore maintained.

9. In response to the applicant's argument that, "Bugzilla does not provide these emails without the user specifically requesting to receive that information," the Examiner respectfully disagrees. As shown above the user can set up their email notifications to be send them information any time the status changes, which is not the same as requesting a specific piece of information. Bugzilla is set up so that when a step is complete or a status changes users are notified, which is not the same as a user asking for a status update, they are updated automatically. For this reason the Examiner asserts that the reference reads over the claims as currently written and the rejection is therefore maintained.

10. In response to the applicant's argument that, "the bug query system is not configured to identify a course of steps that are to be competed and more specifically, does not identify a different course of steps for each software product and for different versions of those products," the Examiner respectfully disagrees. As shown above



Bugzilla shows that each piece of software can have various versions that can be handled differently depending on the version. For example page 35 of Bugzilla discloses that different versions of the software could have bugs not present in older versions of the software and from this it is clear that the steps for correcting the software are different for one version then they are for another since clearly if one version of the software has a bug and another doesn't then the associated steps for both would not both contain correcting that bug. For this reason the Examiner asserts that the reference reads over the claims as currently written and the rejection is therefore maintained.

11. In response to the applicant's argument that, "Bugzilla does not mention taking time budgets into consideration when generating email updates or answers to bug queries," the Examiner respectfully disagrees. As shown above a time budget is described by figure 9 of the applicant's specification as a time line for tracking the time taken on a product. Bugzilla shows an equivalent feature with the use of Milestones which are considered in the different versions as shown in version information on page 35 and they also used in reporting in the status of a project as shown on page 37. From this it is clear that Bugzilla does take into consideration time budgets in this case Milestones when generating email updates or answers to bug queries. For this reason the Examiner asserts that the reference reads over the claims as currently written and the rejection is therefore maintained.

12. In response to the applicant's argument that, "Accordingly, for at least any of the above reasons, Bugzilla fails to teach or suggest a "server computing system analyzing

the collaborative goal to identify a course of steps wherein, as each step is successfully completed, the collaborative goal is advanced from the goal's current state toward the goal's completed state, the course of steps requiring cooperation between at least two teams of one or more users of the plurality of client computing systems, wherein the analysis includes: determining that a software problem affects a plurality of software products and identifying a different course of steps for each product and for each version of the products with multiple versions, wherein generating the course of steps includes accessing one or more associated time budgets corresponding to the software products and product versions," as recited in combination with the other limitations of claim 1," the Examiner respectfully disagrees. As shown above all of the above features are shown in the Bugzilla reference. For this reason the Examiner asserts that the reference reads over the claims as currently written and the rejection is therefore maintained.

13. In response to the applicant's argument that, "Furthermore, for at least any of the same reasons, Bugzilla fails to teach or suggest "for the first step in the course of steps, an act of the server computing system presenting to at least a representative user of the first team first dynamically generated, customized user interface without the user requesting information about the first step, the first user interface providing customized information and interfaces that facilitate completion of the first step, the customized information and interfaces including a plurality of static and dynamic fields populated with information corresponding to the current state of the collaborative goal, wherein the dynamic fields are continually updated as other steps of the goal are completed, the

customized user interface further indicating how the course of steps is progressing relative to the associated time budget," as recited in combination with the other limitations of claim 1," the Examiner respectfully disagrees. As shown above all of the above features are shown in the Bugzilla reference. For this reason the Examiner asserts that the reference reads over the claims as currently written and the rejection is therefore maintained.

14. In response to the applicants argument that, "Claims 14, 40 and 56 have not been amended because the claims, as written, include a step that "determin[es] that the second team comprises a plurality of members." Accordingly, because this limitation clearly refines the claim language of the independent claim to include a second team with a plurality of members, Applicant assert that some of the plurality can be notified without notifying all of the plurality," the Examiner respectfully disagrees. While the claim determines that the second team comprises a plurality of members, it does not state that the rest of the steps are based off this determination and what if the determination finds there to be only one member as suggested is possible by the independent claim. It is unclear as to what happens when it is determined that the second team comprises a plurality of members, is the notification based off this determination and what happens when and if it is not made? For this reason the Examiner asserts that the claim language as written is still indefinite and the rejection has therefore been maintained.

15. All rejections made towards the dependent claims are maintained due to the lack of a reply by the applicant in regards to distinctly and specifically pointing out the

Art Unit: 3689

supposed errors in the Examiner's action in the prior Office Action (37 CFR 1.111). The Examiner asserts that the applicant only argues that the dependent claims should be allowable because the independent claims are unobvious and unpatentable over Bugzilla.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL R. FISHER whose telephone number is (571)270-5097. The examiner can normally be reached on Mon/Fri [8am/4:30pm].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Janice Mooneyham can be reached on (571)272-6805. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PRF

/Dennis Ruhl/  
Primary Examiner, Art Unit 3689